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ORIGINAL

October 10, 2003

Mr. Bryant L. VanBrakle
Secretary
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, DC 20573

RE: Petition P3-03, P5-03, P7-03, P8-03, and P9-03

Dear Mr. VanBrakle:

I will very much appreciate it if you include the following comments in the record for the above referenced proceedings.

It has come to my attention that numerous parties, including United Parcel **Service**, Ocean World Lines, Inc., Bax Global, Inc., C.H. Robinson Worldwide, Inc., and the National Customs Brokers and Forwarders Association of America, Inc., have filed an assortment of petitions addressing the prohibition on Non-Vessel Operating Common Carriers ("NVOCCs") from entering into confidential contracts with their customers. The petitions range from requests for individual relief to the wholesale exemption of NVOCCs from the current regulatory requirement to changing the definition and scope of terms under which Ocean Transportation Intermediaries operate. These petitions serve as one indication that the maritime transportation and logistics industry is a very dynamic field, changing constantly to meet the needs of the shipping public,

Congress sought through the 1984 Act and the Ocean Shipping Reform Act of 1998 (OSRA) to foster a more market-based regulatory model, emphasizing competition, efficiency, and reliance on the market forces in the ocean shipping industry. The Federal Maritime Commission has reiterated this goal in its Strategic Plan for 2003, stating that the purpose of the 1984 Act and other laws was "to establish and maintain a competitive, nondiscriminatory regulatory process that ensures an efficient, market-driven transportation system in the ocean commerce of the U.S. and encourages an economically sound environment for the U.S. shipping industry and public." These are goals with which I wholly concur. I would also note that the 1998 legislation provided the Commission with enhanced authority to further reduce regulatory costs and burdens on the industry in appropriate cases through a more liberalized exemption authority in section 16 of OSRA.

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I understand that this is a complex issue involving the balancing of important policy and regulatory considerations. I also recognize that our domestic policy in this area exists against the backdrop of the practices of our international trading partners. Given the importance to our Nation's economy of international trade, I encourage the Commission to give serious consideration to whether the petitions now before the Commission present an opportunity to further the objectives of OSRA to increase competition and economic efficiency in the ocean transportation industry.

Sincerely,



Chip Pickering

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- ☐ BRIAN PERRY
- ☐ JOHN ROUNSAVILLE

NOTE:

Please accept the attached letter for filing
in the 5 pending proceedings. An original copy
of the letter will be sent via U.S. mail. Please
contact Mike Hurst if you should need anything. Thank you.

IF THERE IS ANY PROBLEM WITH THIS TRANSMISSION PLEASE CALL 202-225-5031

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